

Senate File 344 - Introduced

SENATE FILE 344

BY ZAUN

A BILL FOR

1 An Act relating to the grounds for termination of parental
2 rights.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 600A.8, Code 2013, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 11. *a.* The parent is palpably unfit to
4 be a party to the parent-child relationship as determined by a
5 consistent pattern of specific conduct or specific conditions
6 directly relating to the parent-child relationship which are
7 determined by the court to be of a duration or nature that
8 renders the parent unable, for the reasonably foreseeable
9 future, to provide the appropriate care and support for the
10 ongoing physical, mental, or emotional needs of the child.
11 *b.* In making a determination that a parent is palpably
12 unfit, the court may consider any specific conduct or specific
13 conditions directly relating to the parent-child relationship
14 that the court deems significant in rendering the parent
15 unable to provide the appropriate care and support for the
16 ongoing physical, mental, or emotional needs of the child.
17 Such conduct or conditions may include but are not limited to
18 the parent's history relating to a substance-related disorder
19 as defined in section 125.2 that results in the parent being
20 a danger to self or others as evidenced by prior acts; the
21 parent's history of domestic abuse assault pursuant to section
22 708.2A; the parent's history of imprisonment for a felony
23 offense including any crime against a child; or the parent's
24 current imprisonment from which the parent is unlikely to be
25 released in five years or less.

26 EXPLANATION

27 This bill provides an additional ground for termination of
28 parental rights. The bill provides that under Code chapter
29 600A, the court may order the termination of parental rights if
30 the court finds the parent to be palpably unfit as determined
31 by a consistent pattern of specific conduct or specific
32 conditions directly relating to the parent-child relationship
33 which are determined by the court to be of a duration or nature
34 that renders the parent unable, for the reasonably foreseeable
35 future, to provide the appropriate care and support for the

1 ongoing physical, mental, or emotional needs of the child. The
2 bill provides that in making a determination that a parent is
3 palpably unfit, the court may consider any specific conduct
4 or specific conditions directly relating to the parent-child
5 relationship that the court deems significant in rendering the
6 parent unable to provide the appropriate care and support for
7 the ongoing physical, mental, or emotional needs of the child.
8 Such conduct or conditions may include but are not limited to
9 the parent's history relating to a substance-related disorder
10 as defined in Code section 125.2 that results in the parent
11 being a danger to self or others as evidenced by prior acts;
12 the parent's history of domestic abuse assault pursuant to
13 Code section 708.2A; the parent's history of imprisonment for
14 a felony offense including any crime against a child; or the
15 parent's current imprisonment from which the parent is unlikely
16 to be released in five years or less.